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The Silvio J. Mol
One Saint Andrew
New York, New York 10007

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October 29, 2021

BY ECF

The Honorable Analisa Torres
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Cholo Abdi Abdullah*, 20 Cr. 677 (AT)

Dear Judge Torres:

The parties write pursuant to the Court's September 3, 2021 order directing the parties to provide a status update to the Court.

As the Government has informed defense counsel, the Government intends to make an additional discovery production to the defense sometime in the coming week, consisting principally of material related to the Hotel Attack referenced in the Indictment. *See id.* ¶¶ 11-12. That production will largely complete the Government's productions of unclassified Rule 16 and Rule 5(f) discovery to the defendant. The Government will continue to produce new material, such as recordings of the defendant's prison calls, as it is received, and the Government has also informed defense counsel that it intends to produce in the near future, as a courtesy, copies of publicly available materials pertaining to al Shabaab that the Government may seek to introduce at trial. The Government also continues to obtain and review additional material pertaining to the defendant's co-conspirators, the investigation of whom remains ongoing. With respect to classified discovery, as previously noted, the Government expects to file in this case a motion pursuant to Section 4 of the Classified Information Procedures Act, and the Government does not expect to make any further productions of classified discovery prior to that motion.

Defense counsel is continuing to review the discovery provided by the Government to date, and to discuss it with the defendant pursuant to the procedures established with the U.S. Marshals Service and the CISO. Following the closure of the Metropolitan Correctional Center in Manhattan, the defendant was also recently moved to the Metropolitan Detention Center ("MDC") in Brooklyn. Defense counsel has not yet been able to confer with the defendant following his move to the MDC. The parties have been able to resolve the issues with the defendant's laptop, which has been delivered to the MDC to be returned to the defendant.

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Accordingly, the parties jointly propose that the Court schedule a status conference in this matter in approximately 90 days, on a date convenient for the Court in the last week of January 2022. The Government further requests, with the consent of the defendant, that time be excluded in the interests of justice under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), until the date scheduled for that status conference, due to the complex nature of the prosecution in this case and to provide the defendant with additional time to review discovery and consider the need for any potential pretrial motions.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York


By: /s/
David W. Denton, Jr.
Elinor Tarlow
Assistant United States Attorneys
(212) 637- 2744/1036

GRANTED. A status conference in this matter is set for **January 24, 2022**, at **10:30 a.m.**

Time until January 24, 2022, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 (h)(7), because the ends of justice served by excluding such time outweigh the interests of the public and Defendant in a speedy trial in that this will allow for Defendant to continue reviewing discovery.

SO ORDERED.

Dated: November 2, 2021
New York, New York



ANALISA TORRES
United States District Judge